

# Twitter Must Comply with New IT Rules for Digital Media: Delhi HC

Court asks social media firm to submit details of its compliance with new guidelines in three weeks

## Our Bureau

**New Delhi:** The Delhi High Court on Monday directed Twitter to submit details of its compliance with India's revised intermediary guidelines in three weeks' time.

It also sought a response from the union government on a petition stating that the microblogging platform had not complied with the regulations that came into effect on May 25. The court was hearing the plea filed by Amit Acharya on Friday, which also stated that Twitter had not designated a grievance officer to respond to user complaints. In its ruling, the court also told Twitter that it must comply with India's new IT rules for digital media, if it has not been stayed.

The plea in the high court came after days of a tense face-off between the San Francisco-headquartered company and the union government over the new IT rules. While the government directed Twitter to comply immediately, the microblogging platform has sought three months to do so.

Speaking to ET, the petitioner Acharya said that Twitter told the court that it had appointed the officers after the petition was filed but could not furnish the details at the time of the hearing. The court of Justice Rekha Palli granted the company three weeks to furnish the details and



ROGER DE LA FRESNAYE, Still Life

## THE LONG POINT

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### VIVEK SOOD

Senior advocate, Supreme Court for the union government to also respond to the plea.

In response to ET's queries on the development, a representative for Twitter said, "as we have stated earlier, Twitter strives to comply with applicable law in India. We continue to be

strictly guided by principles of transparency, a commitment to empowering every voice on the service, and protecting freedom of expression and privacy under the Indian law."

Legal experts are of the view that noncompliance with the revised regulations will invite adverse consequences for Twitter and lead to loss of intermediary immunity, which will open the door for criminal prosecutions of Twitter's executives as abettors in crimes committed by users.

Twitter is on a "difficult wicket" now, Vivek Sood, senior advocate in the Supreme Court, told ET.

"Either they move the Supreme Court or must comply with the high court's order. And, if Twitter decides to leave India, then it would be a big blow to free speech of people who ex-

press themselves on this democratic social media platform."

"The government must engage with Twitter to address its concerns over the Intermediary Rules, 2021," he added. ET had earlier reported that global internet majors, including Google, Facebook, WhatsApp as well as home-grown social media platforms like ShareChat and Koo, have complied with the new IT Rules, with Twitter being the only exception. These firms have provided details about their chief compliance officers, nodal contact persons and grievance officers.

On the other hand, Twitter has shared details of a lawyer working in an Indian law firm as its nodal contact person and grievance officer. However, as per the rules, these officers should be employees and must be a resident in India. Twitter had also not shared details of the chief compliance officer, officials had told ET.

In his petition against Twitter Communication India Pvt Ltd and Twitter Inc, Acharya said that the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 came into force from May 25. And, Twitter had been given three months to comply with the rules but it had failed to appoint a resident grievance officer to redress user complaints regarding violation of the provisions of the rules.

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